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Agenda for Telephone Interview at 3 p.m.  
on Friday, December 3, 2010 for Application No. 10/531,896

Thank you for granting an interview this Friday. Below is the text of a proposed amendment to Claim 1, which Applicants also propose making to corresponding method Claim 21. In addition, Applicants provide below arguments for the allowability of amended Claim 1 over the applied art to be presented at the interview. If such amendments place the case in condition for allowance, please let us know at or before the interview. If such amendments do not place the application in condition for allowance, Applicants would appreciate your thoughts at the interview on the allowable subject matter in this case.

Proposed Amendment

Claim 1 recites that the second sub-pixel has a green color filter, but does not recite any color filter associated with the first sub-pixel. However, even without the recitation of a color filter, a color display element constructed according to Claim 1 can produce colored light with the first sub-pixel. This result is achieved by modulating a retardation of the liquid crystal layer located in the first sub-pixel in accordance with a voltage applied thereto in a range to display chromatic colors assumed by light passing through the liquid crystal layer. To emphasize the fact that a plurality of colors can be produced by such modulation, Applicants propose to amended Claim 1 to explicitly recite the display of a plurality of colors. This feature is disclosed in Figs. 2A- 9 and the accompanying description, such as at pages 21-29 of the specification. This portion of the application indicates that in one embodiment, the color of the light from a sub-pixel can be changed in response to the applied voltage, and that depending on the voltage, the displayed chromatic colors can be red or blue or any color therebetween.

Moreover, this display of a plurality of chromatic colors can occur without any color filter. If a color filter is used, the production of colored light occurs before the light passes through such a color filter. And, if a color filter, such as a magenta filter is provided, a user, viewing the first sub-pixel through the magenta filter can see a color other than magenta, depending on the voltage applied to the crystal layer.

In addition to changing the color of the light, the first sub-pixel can also change the brightness of the light (Claim 1 recites that "a retardation of the liquid crystal layer located in the first sub-pixel is modulated in accordance with a voltage applied to the first sub-pixel in a range within which a brightness of light passing through the liquid crystal layer is variable").

Thus, the first sub-pixel can modulate light to change its luminance and its hue.

#### The Applied Art

In contrast, the Abstract and paragraph [0059] of the Ben-David et al. publication is understood to disclose that a) the light emitted from light source 212 of Fig. 2B is modulated in intensity by LC 214, b) the light after passing through the LC 214 and before entering the color filter array 216 is colorless and is a gray-level image, indicating that the LC of the Ben-David et al. citation changes only the luminance, and not the color of light, and c) light from a sub-pixel viewed by a user of the LC sees light only of the color of the color filter provided for that sub-pixel, so that, for example, when the user views a sub-pixel associated with a magenta color filter ("M" in Figs. 12A and 12B), the user sees only magenta light from that sub-pixel. As a result, even though magenta is a combination of red and blue, the sub-pixel M does not display red or blue depending on voltage, but displays only one color: magenta. In contrast, the first sub-pixel of Claim 1 can change its color and does not require a filter to perform that function. In the

Abileah et al. citation, similar to the Ben-David publication, one sub-pixel is understood to display only one color of a color filter due to the use of luminance modulation and the lack of hue modulation.

#### Patentability Argument

Applicants understand the Ben-David et al. and Abileah et al. citations to disclose that pixels a) are luminance modulated without being hue modulated, b) derive their color from the use of a color filter, and c) do not change their coloration with a change in voltage. In contrast, amended Claim 1 recites that a first sub-pixel employs retardation modulation in a range within which both luminance is variable and a plurality of colors are displayed. And Claim 1 does not recite the use of plural filters on the first sub-pixel to display such a plurality of colors.

Since amended Claim 1 recites at least two features not understood to be disclosed or suggested by the Ben-David et al. and Abileah et al. citations, Applicants submit that the Office has not yet satisfied its burden of proof to establish a prima facie case of obviousness against amended Claim 1. Therefore, Applicants request that the rejection of Claim 1 be withdrawn. And because Applicants also propose to amend corresponding method Claim 21 in a corresponding manner, Claim 21 is allowable for corresponding reasons. Therefore, Applicants request that the rejection of Claim 1 be withdrawn.

#### Text of Proposed Claim Amendment

1. (Currently Amended) A color display element comprising a unit pixel which is comprised of a plurality of sub-pixels comprising a first sub-pixel and a second sub-pixel, the second sub-pixel having a green color filter, and a liquid crystal layer having a retardation

modulated in accordance with a voltage being located in each of the sub-pixels,

wherein the color display element has a means of applying a voltage to each of the sub-pixels,

wherein a retardation of the liquid crystal layer located in the first sub-pixel is modulated in accordance with a voltage applied to the first sub-pixel in a range within which a brightness of light passing through the liquid crystal layer is variable and in a range to display a plurality of chromatic colors assumed by light passing through the liquid crystal layer, the chromatic colors including red and blue but not including green, and

wherein a retardation of the liquid crystal layer located in the second sub-pixel with the green color filter is modulated in accordance with a voltage applied to the second sub-pixel in a range within which a brightness of light passing through the liquid crystal layer is variable and the light is achromatic.